



# **SIGNIFICANT ACCOMPLISHMENTS 2003**

**New Mexico State Engineer  
John D'Antonio, PE**

**Interstate Stream Commission Director  
Estevan López, PE**



## **SIGNIFICANT ACCOMPLISHMENTS 2003**

**1)** On April 4, 2003, Governor Richardson signed the ***State Water Plan Act*** legislation, which directed our agency to put together a state water plan by the end of December 2003. The Act directed our agency to place an emphasis on public input and public participation in developing the plan. Agency staff pursued an aggressive agenda by scheduling 29 public meetings around the state, prefaced by editorial visits with statewide news media to explain our intentions and to lay groundwork for public attendance at the meetings. Additionally, several meetings were held with the state's Indian Tribes and Pueblos to coordinate their involvement in the planning process. The public participation process culminated in a New Mexico First Town Hall meeting in late September, which produced a consensus document to assist with and provide input for the statewide plan. The plan will contain comprehensive policy statements and implementation strategies for all elements of the Act. This first state water plan will be a living document that will develop into the strategic plan for our agency, complete with agency work schedules that identify milestones and deliverables that will better define our performance standards.

**2)** Two **regional water plans** were accepted in 2003 -- the Jemez y Sangre Regional Water Plan and the Colfax Regional Water Plan -- which brings the total number of completed regional plans to six of 16. Regional plans were previously accepted for the Lower Pecos Valley, Lea County, Tularosa-Sacramento Salt Basin, and the Estancia Basin.

**3) *Drought*** conditions have persisted throughout the state for the last four years. These conditions have manifested as the various drought stages, which are identified as: meteorological, agricultural, hydrologic, socioeconomic/ administrative drought. This has caused many administrative challenges for our personnel, who must deal with these water shortages throughout the state. Although the state constitution mandates priority administration as the basis for water administration, the tools necessary to enforce priority administration are not yet in place. The essential tools and elements needed to enable our agency to actively manage the state's limited water resources include: meters, rules, and regulations, water master manuals, creation of water districts and appointment

of water masters. Putting these key elements in place are anticipated by the start of next irrigation season in several water-short areas statewide. While those tools and elements are being developed, our staff continues to encourage and facilitate shortage-sharing agreements.

A Drought Summit took place on September 16, 2003. It was jointly sponsored by the Office of the State Engineer, State Energy, Minerals and Natural Resources Department, U.S. Bureau of Reclamation, U.S. Forest Service, and Southwest Strategy. The intent was to focus attention on the drought and on strategies for minimizing its detrimental impacts.

**4)** Our staff continues making **technical advances** to expedite adjudications including the linking of our current agency data collection with the hydrosurvey technical mapping product, in an **E-GIS** framework. These technological innovations will allow for intra- and inter-agency sharing of data, and public access to water right and adjudication information via a queriable database on an E-GIS platform.

**5)** In February, a historic **Pecos River Settlement** agreement was signed to settle the nearly 50-year-old **Lewis Adjudication** involving the Lower Pecos Valley water users in the Carlsbad Irrigation District, Pecos Valley Artesian Conservancy District, Ft. Sumner Irrigation District, the federal government, and the State of New Mexico. Since then, substantial progress has been made toward meeting the terms of the agreement. This includes a land and water rights acquisition program and development of an augmentation well field, that together will ensure both short and long-term compliance with the Pecos River Compact and Decree and also result in the Pecos River being brought into hydrologic balance over the long-term.

**6)** In April, our agency negotiated and entered into an **emergency drought management agreement** with the U.S. Bureau of Reclamation as part of an innovative management strategy to relinquish some of New Mexico's credit water on the Rio Grande. The agreement permits water to be stored in upstream reservoirs (this is otherwise prohibited by the Rio Grande Compact under the current low water supply conditions) and apportions that water over a three-year period of time for use by farmers above Elephant Butte Reservoir, the endangered silvery minnow, and the City of Santa Fe.

Our agency continues to actively promote innovative water management strategies and sound biological science to meet **endangered species act** requirements. We intend to continue to require the federal government to obtain proper permits and acquire water and/or water rights from willing sellers, and encourage the U.S. Fish and Wildlife Service to collaboratively work with our

office in establishing Biological Opinions that use sound science and continue to include recognition of and accommodate management during drought cycles.

**7)** In June, the ***Silvery Minnow Refugium***, a joint project built in conjunction with the City of Albuquerque, opened at the Albuquerque Biopark. The Refugium is intended to ensure the survival and propagation of this endangered species in captivity, especially during times of drought. The Refugium opening was heralded by a joint news conference, ribbon-cutting ceremony, and tour that took place June 27, 2003. The event was spearheaded by our agency and attracted a crowd of more than 250 participants, including members of the news media.

**8)** During the spring of 2003, our agency facilitated a shortage sharing agreement among the water users in the ***San Juan Basin*** that included the power plants, non-Indian irrigators, municipalities, and the Navajo Nation. Hopefully, this year's agreement will be the starting point for next years' water management activities that are expected to be very challenging, given that there is almost no carry-over storage going into next year.

**9)** In December, a proposed ***Navajo Nation Water Rights Settlement Agreement*** was made public. If approved and implemented, this proposed agreement, between the Navajo Nation, the United States and New Mexico, will resolve the claims of the Navajo Nation for the use of waters of the San Juan River in northwestern New Mexico.

**10)** Substantial progress was made in other ***Indian Water Rights Settlements*** negotiations including with San Ildefonso, Pojoaque, Nambe and Tesuque Pueblos, who are all parties to the Aamodt litigation, as well as with Taos Pueblo. Additional progress in early fiscal year 2004 is anticipated with these Native American water right settlement negotiations as well as with any needed federal legislation (including funding) ready for introduction by New Mexico's Congressional delegation by March 2004.

**11)** The Arizona Water Rights Settlement Act was introduced by Arizona Senator John Kyl. Our agency has also been actively negotiating with Arizona entities to protect New Mexico's supply of water on the ***Gila River*** as the Arizona Water Rights Settlement Act makes its way through the congressional process.

**12)** Our agency continues to promote ***water conservation education*** with the publication of the *Learning to Xeriscape Curriculum* for mid- and high-school students. The 361-page curriculum focuses on how to plan, design, and install water-wise landscapes. The agency also published three new homeowner

conservation brochures: *A Guide to Rainwater Harvesting*, *A Waterwise Guide to Clothes Washers*, and *A Waterwise Guide to Evaporative Coolers*.

**13)** Several **public outreach efforts** were launched to enhance our agency's communication with the public. These efforts will be expanded considerably in coming years. Quarterly *Water Wise Community Briefs* are developed and mailed to the general public, special interest groups, state legislators, and opinion leaders around the state to better inform them about the Office of the State Engineer and Interstate Stream Commission policies and initiatives. These issue briefs will not only serve to promote a greater awareness of the role of the Office of the State Engineer and the Interstate Stream Commission in water management, but also will generate feedback to help develop successful strategies for expanding outreach efforts in future. Efforts to communicate with our agency employees have also improved with the creation of the new quarterly employee newsletter, *Reservoir*.

**14)** In cooperation with the Attorney General, the Office of the State Engineer and the Interstate Stream Commission have put together a **Lower Rio Grande expert group of attorneys and technical experts** to prepare for potential litigation with Texas over Rio Grande Compact related issues. This preparation will help New Mexico develop the best negotiation strategy possible for future efforts.

**15)** Interstate Stream Commission staff launched the **Elephant Butte Pilot Channel** excavation and maintenance project, in cooperation with the U.S. Bureau of Reclamation. The Pilot Channel is critical for the effective conveyance of water through the delta at the upstream end of the Elephant Butte Reservoir to help meet compact obligations. Any lack of connection between the river and reservoir can contribute to significant losses of water needed to meet compact needs and may ultimately lead to under delivery of compact obligations. An excavated and maintained channel reduces evaporation losses. A considerable amount of work was performed in 2003 under very challenging working conditions at a remote site. It will result in better delivery of water to Elephant Butte Reservoir for the benefit of recreational enthusiasts, New Mexico farmers, and New Mexico's compact obligations.

In 2003, the focus was on completing a 50-foot channel and removing obstructions. In 2004, that work will continue. Long-term plans include a continuing to evaluate channel conditions and maintenance requirements after every run-off season.